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Attorneys for Plaintiff
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

| | |
|-----------------------------------|---------------------------------------|
| TAHOE REGIONAL PLANNING AGENCY,) | Case No. 2:20-cv-00945-TLN-KJN |
|) | |
| Plaintiff,) | |
|) | |
| vs.) | THIRD STIPULATION AND ORDER TO |
|) | MODIFY SCHEDULING ORDER |
| MOUNTAIN ADDICTION LLC, JUSTIN) | |
| SHEAF,) | |
|) | |
| Defendants.) | Judge: Honorable Troy L. Nunley |
|) | |
|) | |
|) | |

Pursuant to Local Rule 143 the parties stipulate and ask the Court to order that the order entered on August 17th, 2021 (Dkt. No. 32)¹ be modified by extending the discovery and

¹ “Dkt. No.” refers to the docket number entry for the Court’s electronic filing system.

dispositive motions deadlines by an additional 60 days to February 15, 2022, and August 19, 2022, respectively.

“The district court is given broad discretion in supervising the pretrial phase of litigation.” *Johnson v. Mammoth Recreations, Inc.* (9th Cir. 1992) 975 F.2d 604, 607 (citation and internal quotation marks omitted). Rule 16(b) provides that “[a] schedule may be modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4). “The schedule may be modified ‘if it cannot reasonably be met despite the diligence of the party seeking the extension.’” *Zivkovic v. Southern California Edison Co.* (9th Cir. 2002) 302 F.3d 1080, 1087 (quoting *Johnson*, 975 F.2d at 607).

Good cause exists for this extension. The parties have agreed to pursue the court’s Voluntary Dispute Resolution (VDR) Program and a neutral was appointed on September 9, 2021. The parties have agreed to hold the VDR session on October 29, 2021. The current discovery deadline is December 17, 2021 and the dispositive motion deadline is June 20, 2022. The parties request a 60-day extension to the discovery and dispositive motion deadline to facilitate and focus time and effort on the VDR session.

For these reasons, the parties ask the Court for 60-day extensions to the discovery deadline to February 15, 2022 and the dispositive motion deadline to August 19, 2022.

DATED: October 20, 2021.

Respectfully submitted,
TAHOE REGIONAL PLANNING AGENCY

By: /s/ John L. Marshall

Attorney for Plaintiff,
Tahoe Regional Planning Agency
jmarshall@trpa.gov

1 DATED: October 20, 2021.

Respectfully submitted,
LAW OFFICE OF MARSHA A. BURCH

2 By: /s/ Marsha Burch

3 Attorney for Plaintiff,
4 Tahoe Regional Planning Agency
5 mburchlaw@gmail.com

6 DATED: October 20, 2021.

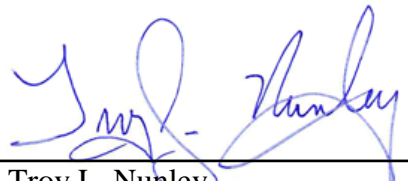
Respectfully submitted,
PORTER SIMON,
PROFESSIONAL CORPORATION

8 By: /s/ Louis A. Basile

9 Attorney for Defendants,
10 Mountain Addiction, LLC and
Justin Sheaf
11 basile@portersimon.com

12 IT IS SO ORDERED. The discovery deadline is extended to February 15, 2022 and the
13 dispositive motion deadline is extended to August 19, 2022.

14 Dated: October 20, 2021

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17 _____
Troy L. Nunley
United States District Judge